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## *Fax Cover Sheet*

**DATE:** September 4, 2002

**FROM:** Cynthia A. Kozakiewicz, Ph.D.  
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[ckozakiewicz@mintz.com](mailto:ckozakiewicz@mintz.com)

**RE:** U.S.S.N. 09/715,417  
Shimkets, et al  
Title: Novel Polypeptides and Nucleic Acids Encoding Same  
Attorney Docket No. 15966-606

**To:**

NAME	COMPANY	BUSINESS #	FAX #
Richard G. Hutson Examiner	U.S. Patent Office		1-703-746-5329

**MESSAGE:**

ENCLOSED PLEASE FIND COPIES OF INFORMATION DISCLOSURES STATEMENTS AND FORMS  
1449 FILED ON OCTOBER 1, 2001 AND MAY 1, 2001, FOR THE ABOVE-REFERENCED  
APPLICATION.

REGARDS,

CYNTHIA KOZAKIEWICZ

We are sending a total of 9 pages, including this cover sheet.

Please call us at 617.542.8024, if you experience any problems.

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Attorney Doc. No. 15966-606 (Cura-106)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Shimkets et al.  
SERIAL NUMBER : 09/715,417  
FILING DATE : November 16, 2000  
FOR : Novel Polypeptides and Nucleic Acids Encoding Same  
EXAMINER : Not Yet Assigned  
ART UNIT : 1645

**BOX IDS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**


Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of cited references B1-B2, C12-C14; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 15966-606 (Cura-106). A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
Cynthia Kozakiewicz, Reg. No. 42,764  
Attorneys for the Applicant  
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Dated: October 1, 2001

TRA 1571372v1

Express Mail Label No.: EL88-17587US  
Date of Deposit: October 1, 2001

Attorney Docket No.: 15966-606 (Cura-106)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Shimkets et al.	EXAMINER:	Not Yet Assigned
SERIAL NUMBER:	09/715,417	ART UNIT:	1645
FILING DATE:	November 16, 2000		
FOR:	Novel Polypeptides and Nucleic Acids Encoding Same		

Assistant Commissioner for Patents  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-identified case. Accordingly, no fee or certification is required. 37 C.F.R. §1.97. A copy of each of references is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Shimkets et al.  
U.S.S.N.: 09/715,417

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-606 (Cura-106).

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
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Dated: October 1, 2001

TRA 1571381v1

Express Mail No. EK61191220  
Date of Deposit: May 1, 2001

Attorney Docket No. 15966-606 (Cura-106)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Richard Shimkets *et al.*  
SERIAL NUMBER: 09/715,417 EXAMINER: Not Yet Assigned  
FILING DATE: November 16, 2000 ART UNIT: Not Yet Assigned  
FOR: NOVEL POLYPEPTIDES AND NUCLEIC ACIDS ENCODING SAME

May 1, 2001  
Boston, Massachusetts

Box IDS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

## TRANSMITTAL LETTER

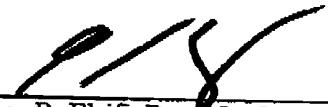
Transmitted herewith for filing in the present application are the following documents:

- ☒ Information Disclosure Statement (2 pages);
- ☒ Modified Form 1449/PTO duplicate copy (2 pages);
- ☒ Copies of Cited references;
- ☒ Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

No fee is believed to be due. However, if any fees are to be assessed, the Commissioner is hereby authorized to charge the balance due to the undersigned's account, Deposit Account No. 50-0311 (Reference 15966-606 (Cura-106)). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
Cynthia Kozakiewicz, Reg. No. 42,764  
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TRA 1509726v1

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APPLICANTS: Richard Shi... et al.  
U.S.S.N.: 09/715,417

This Information Disclosure Statement is being filed before the mailing date of the first Office Action.


A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-606(Cura 106).

Respectfully submitted,

EK611912203US

  
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Dated: May 1, 2001

Express Mail Label No.: Ek...912203US  
Date of Deposit: May 1, 2001

Attorney Docket No. 15966-606 (Cura-106)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Richard Shimkets *et al.*  
SERIAL NUMBER: 09/715,417 EXAMINER: Not Yet Assigned  
FILING DATE: November 16, 2000 ART UNIT: Not Yet Assigned  
FOR: NOVEL POLYPEPTIDES AND NUCLEIC ACIDS ENCODING SAME

#### BOX IDS

Assistant Commissioner for Patents  
Washington, D.C. 20231

### INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

#### Other Prior Art-Non Patent Literature Documents:

Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
Blum, et al., 1999. Direct Submission. GenBank Accession Number: CAB61358
Chodagam, et al., 1999. Direct Submission. GenBank Accession Number: AF188634
Chodagam, et al., 1999. Direct Submission. GenBank Accession Number: AAF01457
Clemenza, et al., 1995. Direct Submission. GenBank Accession Number: Q29528
Crowl, et al., 1999. Direct Submission. GenBank Accession Number: AF157623
Jauniaux, et al., 1997 "Sequencing analysis of a 36.8 kb fragment of yeast chromosome XV reveals 26 open reading frames including SEC63, CDC31, SUG2, GCD1, RBL2, PNT, PAC1 and VPH1." <i>Yeast</i> 13: 483-487. GenBank Accession Number: Q08726
Nagase, et al., 1996 "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (KIAA0201-KIAA0280) deduced by analysis of cDNA clones from human cell line GK-1 and brain." <i>DNA Res.</i> 3 (5): 321-329. GenBank Accession Number: D87433
Nagase, et al., 1996 "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (KIAA0201-KIAA0280) deduced by analysis of cDNA clones from human cell line GK-1 and brain." <i>DNA Res.</i> 3 (5): 321-329. GenBank Accession Number: Q93072
Smalley, C., 1999. Direct Submission. GenBank Accession Number: CAB56566
Tsai, et al., 1999 "SMRTER, a drosophila nuclear receptor coregulator, reveals that EcR-mediated repression is critical for development." <i>Mol. Cell</i> 4 (2): 175-186. GenBank Accession Number: AAD52614
Wilson, et al., 1994 "2.2 Mb of contiguous nucleotide sequence form chromosome III of <i>C. elegans</i> ." <i>Nature</i> 368: 32-38. GenBank Accession Number: P90884

Express Mail No. EL883817587US  
Date of Deposit: October 1, 2001

Page 1 of 1

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Modified Form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	09/715,417
	<b>Filing Date</b>	11/16/00
	<b>First Named Inventor</b>	Shimkets
	<b>Group Art Unit</b>	1645
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	15966-606 (Cura-106)

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No		
RH	B1	WO 95/18823	Beth Israel Hospital	July 13, 1995			
RH	B2	WO 98/04688	Biopharm GMBH	February 5, 1998			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
RH	C12	Ikegawa, S. et al. (1996). <i>Genomics</i> 35: 590-592.
RH	C13	Strausberg, R. (1999). Database EMBL Entry/Acc. No. AI613267
	C14	International Search Report, issued August 26, 2004

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	9/4/02
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.



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Modified Form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	09/715,417
Filing Date	11/16/00
First Named Inventor	Shimkets, et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	15966-605

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date if Appropriate
	A1						

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
RH	C1	Blum, et al., 1999. Direct Submission. GenBank Accession Number: CAB61358
RH	C2	Chodagam, et al., 1999. Direct Submission. GenBank Accession Number: AF188634
RH	C3	Chodagam, et al., 1999. Direct Submission. GenBank Accession Number: AAF01457
RH	C4	Clemenza, et al., 1995. Direct Submission. GenBank Accession Number: Q29528
RH	C5	Crowl, et al., 1999. Direct Submission. GenBank Accession Number: AF157623
	C6	Jauniaux, et al., 1997 "Sequencing analysis of a 36.8 kb fragment of yeast chromosome XV reveals 26 open reading frames including SEC63, CDC31, SUG2, GCD1, RBL2, PNT, PAC1 and VPH1." <i>Yeast</i> 13: 483-487. GenBank Accession Number: Q08726
	C7	Nagase, et al., 1996 "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (K1AA0201-K1AA0280) deduced by analysis of cDNA clones from human cell line GK-1 and brain." <i>DNA Res.</i> 3 (5): 321-329. GenBank Accession Number: D87433
	C8	Nagase, et al., 1996 "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (K1AA0201-K1AA0280) deduced by analysis of cDNA clones from human cell line GK-1 and brain." <i>DNA Res.</i> 3 (5): 321-329. GenBank Accession Number: Q93072
	C9	Smalley, C., 1999. Direct Submission. GenBank Accession Number: CAB56566
	C10	Tsai, et al., 1999 "SMRTER, a drosophila nuclear receptor coregulator, reveals that EcR-mediated repression is critical for development." <i>Mol. Cell</i> 4 (2): 175-186. GenBank Accession Number: AAD52614
RH	C11	Wilson, et al., 1994 "2.2 Mb of contiguous nucleotide sequence from chromosome III of <i>C. elegans</i> ." <i>Nature</i> . 368: 32-38. GenBank Accession Number: P90884

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

9/4/02